

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

RYAN WALKER and MOISES
CENICEROS, *et al.*,

Plaintiffs,

v.

TRINIDAD DRILLING, LP

Defendant.

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CIVIL ACTION NO. 5:15-cv-00169-RCL

JOINT MOTION TO EXTEND DEADLINES

The Parties, Plaintiffs Ryan Walker and Moises Cenicerros (collectively “Plaintiffs”) and Defendant Trinidad Drilling, LP (“Trinidad” or “Defendant”), file this Motion to Extend Deadlines (the “Joint Motion”), and would respectfully show the following:

1. Pursuant to this Court’s May 9, 2016 Order (Document 60), the current discovery deadline in this matter is November 22, 2016, and the current dispositive motion deadline is January 9, 2016. There are currently no dates set for the pretrial conference or trial.

2. A Court may grant a request to extend time for good cause when the extension is sought before the deadline to act has expired. FED. R. CIV. P. 6(b)(1)(A). This Motion is filed before the above-referenced deadlines have passed. Further, good cause supports this request because, now that a collective action has been conditionally certified and the notice period has closed, the Parties are cooperatively engaged in, but have not completed, discovery.

3. For example, in the interest of efficiency, the Parties are engaged in discovery with respect to a representative sample of opt-ins mutually agreed upon by the Parties. However, agreeing upon the method for selecting the representative sample, and then selecting the representative sample, required the Parties to dedicate time to that process that would have

otherwise been dedicated to conducting discovery (albeit with respect to a greater number of, or even all, opt-ins, which would ultimately have been a far less efficient approach to discovery).

4. Therefore, although the Parties are now in the process of exchanging written discovery and conducting depositions with respect to the representative sample, that discovery has not been completed, and the Parties would both like the opportunity to complete meaningful discovery with respect to the representative sample. The meaningful completion of such discovery is not only pertinent to the Parties' claims and defenses that will be asserted at trial, but will also serve to inform any future settlement negotiations in which the Parties may engage, as well as any dispositive or decertification motions that the Parties may file, and any responses thereto. Further, although this is the Parties' second request for an extension of deadlines, as no dates for the pretrial conference or trial have are currently set, granting an extension of time with respect to the discovery and dispositive motions deadlines will not disrupt such settings.

5. For these reasons, the Parties respectfully request that this Motion be **GRANTED**, that the discovery deadline be postponed until **February 20, 2017**, with dispositive motions due on **April 10, 2017**, and that this Court advise the Parties of its available pretrial conference and trial settings or procedure regarding obtaining such settings, and that the Parties be granted such further relief to which they are justly entitled in connection with this Motion.

Dated: September 23, 2016.

Respectfully submitted,

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CERTIFICATE OF SERVICE

On September 23, 2016, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Western District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel of record electronically.

s/Allen R. Vaught
Allen R. Vaught